

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

205

CRM-M 31999 of 2022

Date of Decision: 22.02.2023

Balwinder Singh

.....*Petitioner**Versus*

State of Punjab

.....*Respondent***CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.**

Present: Mr. Gursimran Singh, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

GURBIR SINGH, J (ORAL)

The prayer in the present petition is for grant of pre arrest bail to the petitioner in case FIR No.62 dated 12.05.2022 under Sections 304, 338 of IPC, registered at Police Station Sadar Jagraon, District Ludhiana.

Status report by way of affidavit of Satvinder Singh Virk, PPS, Deputy Superintendent of Police (Rural), on behalf of respondent-State, is filed in Court today. The same is taken on record.

Learned counsel for the petitioner contends that the petitioner was working as a lineman in Ludhiana. He engaged labourer for painting the transformer and poles installed on the grid. The complainant climbed the pole for colouring purposes. As per the FIR, the petitioner told the complainant that the power connection was cut but infact the same was not cut and resultantly he received injuries and ultimately died.

Vide order dated 26.07.2022, the petitioner was granted interim protection.

Learned State counsel, on instructions from ASI John Masih, 415, Ludhiana (Rural), submits that in compliance of the order dated 26.07.2022, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

At this stage, it is debatable whether provisions of Section 304 IPC and 304 A IPC are attracted or not.

In view of above, the order dated 26.07.2022 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

22.02.2023
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(GURBIR SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No